

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

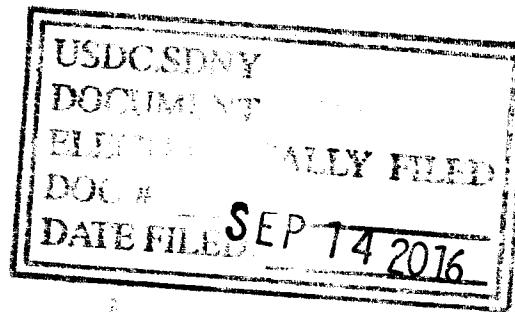
BLACKROCK ALLOCATION TARGET  
SHARES: SERIES S PORTFOLIO, *et al.*,

Plaintiffs,

v.

THE BANK OF NEW YORK MELLON,

Defendant.



Case No. 14-cv-9372-GBD

**STIPULATION AND [REDACTED] ORDER**

WHEREAS, in the above-captioned action, Plaintiffs assert certain claims against Defendant The Bank of New York Mellon (“BNYM”) arising out of its alleged role as Trustee for the AABST 2005-2, BSARM 2004-6, CARR 2005-NC1, GSR 2004-2F, MARM 2004-13, and TMTS 2006-7 Trusts (collectively, the “Subject Trusts”);

WHEREAS, BNYM has confirmed that it is not and never was the Trustee of the Subject Trusts; and

WHEREAS, based on BNYM’s representations concerning its role with respect to the Subject Trusts or lack thereof, the Parties, by, between, and among their respective counsel, have stipulated and agreed to the terms set forth herein, and good cause having been shown:

IT IS HEREBY STIPULATED AND AGREED that:

1. Subject to the approval of the Court, all claims asserted herein arising out of or connected to the Subject Trusts shall be dismissed, with prejudice, with each Party to bear its own respective costs and attorneys’ fees; and

2. The fact of this dismissal shall not be introduced into evidence or referenced by either party in any action or proceeding involving the Parties herein.

Dated: September 9, 2016

  
\_\_\_\_\_  
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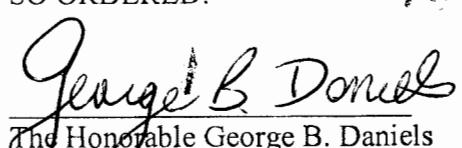
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*Attorneys for Defendant*

SO ORDERED:

  
\_\_\_\_\_  
The Honorable George B. Daniels

United States District Judge

2. The fact of this dismissal shall not be introduced into evidence or referenced by either party in any action or proceeding involving the Parties herein.

Dated: September 12, 2016

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TIMOTHY A. DeLANGE

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SO ORDERED:

SEP 14 2016

  
The Honorable George B. Daniels  
United States District Judge